

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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FARMERS INSURANCE EXCHANGE for
Itself and as subrogee of its insured
DOREEN FILOMENA,

Case No. 2:15-CV-1389 JCM (VCF)

ORDER

Plaintiff(s),

v.

LG ELECTRONICS USA, INC., et al.,

Defendant(s).

Presently before the court is Magistrate Judge Ferenbach's report and recommendation ("R&R"). (ECF No. 39). No objections have been filed, and the deadline for filing objections has now passed.

Magistrate Judge Ferenbach approved a settlement between plaintiff Farmers Insurance Exchange and defendant LG Electronics USA, Inc. ("LG") pursuant to NRS 17.245, finding the \$9,000.00 to be paid in settlement reasonable. (ECF No. 39). The settlement approval discharged LG from all liability for contribution and for equitable indemnity to any other tortfeasor. (ECF No. 39).

In light of the foregoing, the magistrate recommends that all of plaintiff's claims against LG be dismissed with prejudice upon notice to the court that plaintiff has received the \$9,000.00 agreed settlement amount. (ECF No. 39).

On December 6, 2016, LG filed a stipulation of dismissal of plaintiff's claims against it. (ECF No. 72).

This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects

1 to a magistrate judge's report and recommendation, then the court is required to "make a de novo
 2 determination of those portions of the [report and recommendation] to which objection is made."
 3 28 U.S.C. § 636(b)(1).

4 Where a party fails to object, however, the court is not required to conduct "any review at
 5 all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149
 6 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a
 7 magistrate judge's report and recommendation where no objections have been filed. *See United*
 8 *States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review
 9 employed by the district court when reviewing a report and recommendation to which no
 10 objections were made).

11 Nevertheless, this court finds it appropriate to engage in a *de novo* review to determine
 12 whether to adopt the recommendation of the magistrate judge. Upon reviewing the
 13 recommendation and underlying briefs, the court finds good cause appears to ADOPT the
 14 magistrate judge's findings.

15 Further, the court will grant the stipulation of dismissal (ECF No. 72) between plaintiff and
 16 LG in accordance with the terms set forth therein.

17 Accordingly,

18 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Magistrate Judge
 19 Ferenbach's report and recommendation (ECF No. 39) be, and the same hereby is, ADOPTED in
 20 its entirety.

21 IT IS FURTHER ORDERED that plaintiff's and LG's stipulation of dismissal with
 22 prejudice (ECF No. 72) be, and the same hereby is, GRANTED.

23 IT IS FURTHER ORDERED that plaintiff's claims against LG be, and the same hereby
 24 are, DISMISSED WITH PREJUDICE, consistent with the terms set forth in their stipulation (ECF
 25 No. 72).

26 DATED December 9, 2016.

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 28 UNITED STATES DISTRICT JUDGE